

**REGULAR MEETING**  
**July 12, 1999**

The Regular Meeting of the Annapolis City Council was held on July 12, 1999 in the Council Chamber. Travis Pastrana rang the bell to denote the 7:30 p.m. start time for the meeting. Mayor Johnson called the meeting to order at 7:40 p.m.

Present on Roll Call: Mayor Johnson, Aldermen Hammond, Tolliver, Gilmer, Sachs, McMillan, Carter, Fox

Alderman Moyer was absent.

Staff Present: City Administrator Daily, City Attorney Goetzke, Human Resources Director Milburn, Public Works Director Smith

**Closed Session:** Pursuant to the requirement of Maryland Annotated Code, State Government Article Section 10-509(c)(2), this statement is included in these minutes:

*A closed session of the City Council was held at 7:10 p.m., Monday, July 12, 1999 in the City Council Chamber.*

*Present: Mayor Johnson, Aldermen Hammond, Tolliver, Gilmer, Sachs, McMillan, Carter, Fox, City Attorney Goetzke, Human Resources Director Milburn, City Clerk Bembe, Sanford Daily*

*By unanimous consent of the members present, the session was closed. The authority under which the session was closed was Maryland Annotated Code, State Government Article, Section 10-508(a)(1)(i). The purpose of the meeting was the confirmation of the City Administrator. The following action was taken: Confirmation of the Mayor's appointment of Sanford W. Daily as City Administrator effective July 1, 1999.*

Alderman Gilmer moved to approve the Minutes of June 2, 1999, June 14, 1999 and June 21, 1999. Seconded. CARRIED on voice vote.

Mayor Johnson made the following presentations:

Travis Pastrana	Certificate of Distinguished Citizenship
Chesapeake Marine Tours	Distinguished Business Certificate
Usinternetworking, Inc.	Distinguished Business Certificate
John Gomolisky	4 <sup>th</sup> of July Celebration
Cliff Myers	4 <sup>th</sup> of July Celebration
Tony Evans	4 <sup>th</sup> of July Celebration
January Roskelly	4 <sup>th</sup> of July Celebration
Lori Hall	Annapolis Police Department Citation of Merit

**PETITIONS, REPORTS AND COMMUNICATIONS**

- 1. Louise Beauregard Myers  
2 Maryland Avenue  
Annapolis, MD 21401

Spoke regarding the Anne Arundel Medical Center.

## **LEGISLATIVE ACTION**

### **ORDINANCES**

- O-36-98**      **For the purpose of requiring applicants for City building and grading permits to pay or to demonstrate exemption from Anne Arundel County school impact fees under certain conditions; and all matters relating to said impact fees.**

Alderman Hammond moved to adopt O-36-98 on second reading. Seconded.

The Economic Matters Committee reported favorably on O-36-98.

The main motion CARRIED on voice vote.

Alderman Hammond moved to adopt O-36-98 on third reading. Seconded. CARRIED on voice vote.

- O-1-99**      **For the purpose of clarifying and establishing certain violations of Title 11, Public Peace, Morals and Welfare, including those relating to disturbing the peace; repealing certain sections of Title 11 which are outdated or for which there are state laws governing the issues addressed therein; clarifying that violations of Title 11 shall be deemed misdemeanors subject to a fine not to exceed \$1,000 and/or imprisonment not to exceed 90 days; and all matters relating to said public peace, morals and welfare.**

There being no voiced objection, action on O-1-99 was postponed.

- O-7-99**      **For the purpose of amending the Business Corridor Enhancement (BCE) District by removing public refuse recycling facilities as a permitted use; and all matters relating to said BCE District.**

Alderman Gilmer moved to adopt O-7-99 on second reading. Seconded.

The Rules and City Government Committee reported favorably on O-7-99.

The main motion CARRIED on voice vote.

Alderman Tolliver moved to adopt O-7-99 on third reading. Seconded. CARRIED on voice vote.

- O-11-99**      **For the purpose of authorizing the amendment of lease of certain public land not needed by the City for public use under certain terms and conditions; and all matters relating to said amendment of lease.**

Alderman Sachs moved to adopt O-11-99 on second reading. Seconded.

The Finance and Economic Matters Committees reported favorably on O-11-99.

The main motion CARRIED on voice vote.

Alderman Sachs moved to adopt O-11-99 on third reading. Seconded. CARRIED on voice vote.

- O-25-99**      **For the purpose of clarifying that Section 14.08.050 of the City Code governs the maximum width of openings rather than the maximum length; and all matters relating to said driveways.**

Alderman Tolliver moved to adopt O-25-99 on second reading. Seconded.

The Environmental Matters Committee reported favorably on O-25-99.

The main motion CARRIED on voice vote.

Alderman Hammond moved to adopt O-25-99 on third reading. Seconded.  
CARRIED on voice vote.

**O-29-99 For the purpose of clarifying the bases for ineligibility for a taxicab driver's permit and a taxicab owner's permit; adding as a reason therefor the commission of a criminal act involving dishonesty, trustworthiness or fitness; clarifying drug testing procedures for applicants for taxicab owner's and taxicab driver's permits; establishing yearly random drug test for permit holders including grounds for revocation of permits under certain circumstances, appeal procedures and post-revocation treatment under certain circumstances; renumbering, clarifying and retitling existing physical examination provisions; and all matters relating to said taxicab licenses.**

Alderman Hammond moved to adopt O-29-99 on second reading. Seconded.

The Economic Matters Committee reported favorably on O-29-99.

The Public Safety Committee reported favorably on O-29-99.

Alderman McMillan moved to amend O-29-99 as follows:

On Page 4, strike lines 12 through 14 and substitute the following:

- C. Failure to report within twenty-four hours of notice, refusal to submit to a test, positive results due to non-prescription medications, and positive results due to prescription medications that were not listed at the time of the test, shall constitute a basis to immediately revoke a permit issued under this chapter.

Seconded.

Alderman Tolliver moved to amend the amendment as follows:

- C. Failure to report within twenty-four hours of notice, refusal to submit to a test, positive results due to non-prescription medications, and ~~or~~ positive results due to prescription medications that were not listed at the time of the test, shall constitute a basis to immediately revoke a permit issued under this chapter.

Seconded. The amendment to the amendment CARRIED on voice vote.

The main motion as amended CARRIED on voice vote.

Alderman Hammond moved to adopt O-29-99 as amended on third reading. Seconded. CARRIED on voice vote.

## **RESOLUTIONS**

**R-3-99 For the purpose of calling upon the Governor and the General Assembly to provide direct and full monetary payment for municipal costs solely attributable to the State's presence in Annapolis, in the FY 2000 supplemental budget and subsequent budgets; and all matters relating to said payment.**

Alderman McMillan moved to remove R-3-99 from the table. Seconded. CARRIED on voice vote.

Alderman McMillan moved to substitute R-3-99 Revised for R-3-99. Seconded. CARRIED on voice vote.

Alderman McMillan moved to adopt R-3-99 Revised. Seconded.

A ROLL CALL vote was taken:

YEAS: Aldermen Hammond, McMillan

NAYS: Mayor Johnson, Aldermen Tolliver, Gilmer, Sachs, Carter, Fox

DEFEATED: 6 - 2

**R-11-99 For the purpose of authorizing the Finance Director or a designee to invest certain funds of the City through Paine Webber, Incorporated; to authorize the investment of certain City funds in certain types of securities; and all matters relating to said funds.**

Following discussion, Alderman McMillan moved to refer R-11-99 to the Finance Committee. Seconded. CARRIED on voice vote.

**R-12-99 For the purpose of authorizing the Finance Director or a designee to invest certain funds of the City through Legg Mason Wood Walker, Inc.; to authorize the investment of certain City funds in certain types of securities; and all matters relating to said funds.**

Following discussion, Alderman Tolliver moved to refer R-12-99 to the Finance Committee. Seconded. CARRIED on voice vote.

**R-13-99 For the purpose of approving amendments to the job description for the existing exempt service position of Public Works Director; approving amendments to the job descriptions for the existing civil service positions of Superintendent - Water Plant, and Public Works Bureau Chief - Engineering; adding a Laborer First Class position to the Department of Public Works; reclassifying the civil service position of Deputy Public Works Director to Assistant to the Director - Department of Public Works; reclassifying the civil service position of Public Works Assistant Superintendent, Services to Superintendent - Public Works Services; reclassifying the civil service position of Assistant Superintendent, Utilities to Superintendent - Utilities; eliminating the existing civil service position of Sign Supervisor; and all matters relating to said job descriptions and pay grades.**

Alderman Sachs moved to adopt R-13-99. Seconded.

Alderman Hammond moved to table R-13-99 to the regular meeting in September. Seconded.

A ROLL CALL vote was taken:

YEAS: Aldermen Hammond, Tolliver, Carter

NAYS: Mayor Johnson, Aldermen Gilmer, Sachs, McMillan, Fox

DEFEATED: 5 - 3

Alderman Sachs moved to amend R-13-99 as follows:

- No. 1: All references to the Director of Public Works and the job description for the Director of Public Works be stricken from the Resolution.
- No. 2: On page 2, line 20, strike "Sign Technician II" and substitute "Sign Supervisor".

Seconded. CARRIED on voice vote.

The main motion as amended CARRIED on voice vote.

## **BUSINESS AND MISCELLANEOUS**

1. Housing and Community Development Committee Recommendations for Action dated 7/12/99.

Alderman Gilmer moved to approve the Housing and Community Development Committee Recommendations for Action date 7/12/99. Seconded. CARRIED on voice vote.

2. Finance Committee Recommendations for Action dated 6/15/99.

Alderman Sachs moved to approve the Finance Committee Recommendations for Action dated 6/15/99. Seconded. CARRIED on voice vote.

3. Payment of Monthly Bills

Alderman Sachs moved to pay the monthly bills. Seconded. CARRIED on voice vote.

4. Appointments

Alderman Sachs moved to approve the Mayor's appointments of the following individuals as set forth in Memoranda dated June 24, 1999 and July 7, 1999:

Annapolis Conservancy Board	Ann Fasnacht
Building Board of Appeals	Fred D. Fishback
Commission on Aging	Douglas Lamborne
Commission on Aging	Jean S. Voorhees
Historic Preservation Commission	C. Jane Cox
Historic Preservation Commission	Elizabeth R. Finkle
Historic Preservation Commission	David G. Blick
Recreation Advisory Board	A. Frank Holston
Recreation Advisory Board	Enrique Villagomez
Plumbing Inspectors	Richard Owens

Seconded. CARRIED on voice vote.

Upon motion duly made, seconded and adopted, the meeting was adjourned at 9:35 p.m.

**Patricia L. Bembe, CMC/AA**  
**City Clerk**